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THE WALKING PURCHASE.

Read at the Annual Vesper of The Moravian Historical Society, September 22, 1910,
by Rev. H. A. Jacobson, M.A., President.

When the white people who settled in the Forks of the Delaware from 1740 to 1750, and even later, attempted to establish legal claim to the tracts of land they desired to occupy, they met with much opposition, frequently of a hostile character, from many of the Indians then residing there. The Indians considered the whites as intruders on domains to which the latter had no legal claim. The settlers asserted that they held their right of possession by deed from the Penn family, Proprietors, to whom the Indians had conveyed these lands by solemn treaty. The Indians argued that even under such circumstances the whites had no legal right of possession; for the Indians understood a sale to mean that the purchaser was given the right to hunt or fish on the land, but that the land itself still remained the property of the Indians. Of course, the white settlers would not grant the correctness of this interpretation. The unfriendly relations existing between the Indians and the whites became more marked year by year, until they ended in numerous acts of violence and even murder, finally culminating in the dreadful massacres perpetrated by the Indians during the years 1748 to 1758. The Moravians, who took up lands in the Forks of the Delaware between the Lehigh River and the Blue Mountains, suffered equally with the rest of the whites, a number of their members being murdered or carried into captivity and several of their mission stations being destroyed. It took some time till they were able to convince the Indians that their mission was a peaceful one and aimed alone at their moral and spiritual betterment. At first the Moravians were not aware of the cause for the course of the Indians in disputing their title to the land they had bought; only by degrees did they learn from whites and Indians that the latter believed they had been defrauded of their right of possession by the trickery and deceit practiced by the whites in the so-called Walking Purchase, which event had taken place in 1737. As soon as the Moravians convinced the

Indians that they had nothing to do with the events preceding their arrival and that they had no intention to deprive the natives of the rightful ownership of their lands, much of the opposition to the missionaries disappeared.¹

Admiral Penn, the father of William Penn, had done valiant service for the English King Charles II in the war against the Dutch. He also lent money to King Charles, and this claim he left to his son at his death. The claim, with interest, at that time amounted to £15,000. But the sovereign had neither money nor credit; and so, on June 14, 1680, William Penn petitioned the king to grant him, in lieu of the £15,000, a tract of country in America, North of Maryland, with the Delaware on the East, its western limits the same as those of Maryland, and its northern as far as plantable country extended, "to afford an asylum for the good and oppressed of every nation on a basis of a practical application of the pure and peaceable principles of Christianity." Although much opposition was manifested to this petition by the King's advisers, the King signed the desired grant on March 4, 1681. At this time Penn was 37 years of age. The King himself gave the territory the name Pennsylvania. (Penn preferred the names New Wales or Sylvania.)

In 1682 Penn came to America to inspect his new possessions and to have them properly surveyed. He sailed on the first of September, 1682, from Deal, with a large company of Quakers, in the ship "Welcome," three hundred tons, and arrived at New Castle on the Delaware, October 27, 1682. At once he was informed of the contention of the Indians that if he wished to occupy the land he must first buy it from them, as the original owners of the same. While he believed in the legal validity of the royal grant, he was averse to the institution of harsh measures which might result in active hostilities, and therefore he made a formal purchase of the land he desired by giving the Indians a lot of cheap guns and trinkets in exchange. It is recorded that he actually in this way bought certain small tracts twice over in order thus to conciliate the natives.² However,

¹It is said that Count Zinzendorf paid the Indians a second time for the tract now occupied by Nazareth, Pa.

²The articles given to the Indians by William Penn and others in exchange for their land were always approximately the same, and therefore

after he had returned to England, his sons and their agents were not so conscientious. Up to 1718, and possibly even after that year, large tracts of land were sold to various parties without the knowledge and consent of the Indians. In some cases the protests of the natives, when attempts were made to dispossess them, were so effective that certain tracts were returned by the white settlers to the Penn heirs. In order to outwit the Indians, attempts were several times made to conceal the date of sale in the papers transferring the land. The first record of such a fraudulent sale was when, in 1684, John Chapman bought a tract of more than 500 acres from Penn's agents, but never paid the Indians anything for it. However, Chapman claimed that he paid Penn, but the latter did not so inform the Indians.

As soon as William Penn landed from the "Welcome," he visited his agent, William Markham, who had made an agreement with the Indians on July 15, 1682. Penn ratified this agreement in November, 1682. (Later, from 1693 to 1695, Markham was governor of the province.) The existence of this agreement has been denied, but so many persons had seen it and it is so frequently referred to in subsequent treaties, that it is unreasonable to entertain any doubts on that point.³ The doubts expressed may be explained by the fact that, while it is often spoken of as a treaty, according to legal interpretation it was really only an agreement, and therefore not as binding as a treaty. But Penn always regarded it as involving a sacred obligation, which he honestly endeavored to fulfill. This agreement stipulated that as much land should be ceded to Penn as a man

one list will suffice to include all others. We select a treaty for a tract of land near Old Man's Creek, N. J., which was purchased in 1677 for the following articles: Thirty match coats (made of hairy wool with the rough side out), twenty guns, thirty kettles, one great kettle, thirty pairs of hose, twenty fathoms of duffels (Duffield blanket cloth of which match coats were made), thirty petticoats, thirty narrow hose, thirty bars of lead, fifteen small barrels of powder, seventy knives, thirty Indian axes, seventy combs, sixty pairs of tobacco tongs, sixty pairs of scissors, sixty tinshaw looking-glasses, one hundred and twenty awl blades, one hundred and twenty fish hooks, two grasps of red paint, one hundred and twenty needles, sixty tobacco boxes, one hundred and twenty pipes, two hundred bells, one hundred jews harps and anchors of rum. Few of these articles were of any practical value to the Indians.

³It is frequently spoken of as the "Elm Tree Treaty."

could walk over in one and a half days. In carrying out this stipulation, Penn walked one and a half days in company with several Indians, but following the windings of the Delaware River. From the point at which he halted a line was run inland and westward, nearly at right angles with the river, which passed through the village of Wrightstown. This line, then, formed the northern boundary of the tract covered by the treaty of 1682, and became the base line for all subsequent negotiations.

William Penn returned to England in 1684, leaving the management of affairs in Pennsylvania to a board of commissioners, who were expected to report to him in writing at stated times. Penn came to America a second time in 1699, remaining till 1701. During this second visit he was busily occupied with plans for the site of Philadelphia and its form of government, and took scarcely any notice of the pending disputes about land claimed by the Indians. This was his last visit to America. He died July 30, 1718.

In 1690 and 1691 Penn's enemies in England brought charges of conspiracy against him, and in October, 1692, the king deprived Penn of his authority as Governor, and directed Governor Fletcher, of New York, to assume the administration of Pennsylvania. But through the influence and intercessions of powerful friends, Penn was acquitted of the conspiracy charge in November, 1693, and the government of Pennsylvania was restored to him in August, 1694.

Penn visited Pennsylvania in 1699 in order to more firmly secure his title to the royal grant, and also to restore peace and order after his deputy, Markham, had alienated the friendship of the Indians by his arbitrary and indiscreet treatment of them.

On August 30, 1686, Penn's commissioners made a treaty or agreement with the Indians, in which as much land was ceded to the whites "as a man can go in a day and a half," starting from the northern boundary of the purchase of 1682. Hence the term "Walking Purchase" given to this transaction.⁴ This treaty

⁴This method of measuring land purchases was in very common use in pioneer times. A treaty of June 23, 1683, cedes as much land as can be run in two days with a horse. Another, of July 30, 1685, says, "as far as a man can go in two days' journey," leaving it uncertain whether he will walk or ride.

was never recorded, and in 1734 Thomas Penn acknowledged that the original had never been found. The Penns, however, always strenuously asserted that it existed, basing their claim on the fact that after William Penn's death a paper was found among his effects which, though unattested, was endorsed, "Copy of the last Indian purchase." It was not in the handwriting of William Penn, but was stated to have been copied for him during his visit to America from 1699 to 1701. In a report to a Council held in 1758, the statement was made that Penn's copy of this treaty was in the handwriting of Philip Thlehuman, then a clerk in the land office, who died in 1687. The endorsement on the document was by Thomas Holme. In a diary kept by William Markham it is stated that he and Holme were negotiating with the Delaware Indians for the purchase of some land in the Forks of the Delaware just before the date of the treaty of 1686. In some negotiations conducted in 1737 this treaty of 1686 is spoken of as lying on the table. It is therefore reasonable to conclude that an agreement of some sort was made in 1686; but with the design of outwitting the Indians, the wording was very unclear, enabling the scheming white settlers to place any construction they pleased on the wording of the document. With the same purpose in view, the document was never witnessed or recorded, nor was a formal deed executed. These legal omissions no doubt caused Tedyescung in 1756 to assert that this alleged treaty was a forgery. Its existence is now generally acknowledged. (In 1742 Canassatego, one of the chiefs of the Iroquois, told Governor Thomas that he had seen this deed of 1686 with his own eyes, and that it was signed by nine of the ancestors of Delaware chiefs then living.)

As soon as these negotiations became known, settlers began to occupy lands North of Wrightstown, where Durham was afterwards located. Constant conflicts took place. The Indians regarded the settlers as encroaching on their lands and filed remonstrances, but the authorities paid little attention to their complaints. At various times during these years attempts were made to agree upon a compromise of some sort, but it seemed impossible to harmonize the claims of the contending parties. However, on September 17, 1718, a treaty was made with the Delawares in which they executed a release for all the lands

from Duck Creek, at the head of Delaware Bay, to the Forks of the Delaware. In this treaty no mention is made of the agreement of 1686. On the other hand, the chiefs of the Six Nations (or Iroquois) were not consulted in the negotiation of this treaty, and they asserted that the Delawares had no right of ownership over this tract, and consequently had no authority to execute the release. On account of this contention of the Iroquois chiefs, in future negotiations no mention is made of this treaty of 1718. To complicate matters, the proprietary land office was closed from 1718 to 1732, during the minorities of Richard and Thomas Penn. Instead of the usual warrants and patents, tickets signed by one of the commissioners or by the secretary of the land office were substituted. Immigrants entered on a claim without title, and in many instances without a ticket, taking possession of such vacant lands as they found convenient. Their rights were recognized by the public because it was confidently believed that these rights would in time receive proprietary sanction. The practice of the land office when it was again opened confirmed this expectation by giving preference to actual settlers.⁵

Among the transfers of land made by the board of commissioners, was one tract of 10,000 acres South of the Lehigh to William Allen on August 29, 1728; another of 6,000 acres to the men who later built the Durham Furnace. However, serious hostile demonstrations were not made until the settlers began to take up lands in the Forks of the Delaware and North of the Blue Mountains. These sections were the favorite hunting grounds of the Indians, most of them of the Delaware tribe, and were valued accordingly. On September 10, 1733, 300 acres in the Minisink region North of the Delaware Water Gap were sold to Nicholas Dupui; on April 10, 1735, 5,000 acres in the Forks of the Delaware were sold to William Allen, who later (April 30, 1740) disposed of them to George Whitefield for £2200 sterling; from him they passed to the German Moravian settlers. Another tract of 3,000 acres, covering the site of modern Allentown, was sold to Allen in 1736. In 1734 Thomas Penn allowed a number of tracts to be surveyed in the Forks of the Delaware under his lottery scheme, which, however, occasioned

⁵McMinn's *Life of Henry Antes*, p. 107.

so much unrest among the Indians that this scheme had to be abandoned.

Thomas Penn came to Pennsylvania in 1732, and remained till 1741. John Penn came in 1734, but returned to England in 1735, and died there in 1746. Consequently after 1735 Thomas Penn was in complete control of affairs. (Thomas Penn died in England in 1775.)

Soon after Thomas Penn's arrival, his friends called his attention to the complaints of the Indians concerning the encroachments of the land speculators and settlers on their territories, which might end in war. Penn discovered that the provisions of the agreement of 1686 had never been carried out on account of many postponements which were made because some important chief who must be consulted was not present at the councils that were held. Whether these absences were intentional or accidental it is impossible to determine from the meagre documentary evidence available. Most of the white settlers charged that certain Indian chiefs absented themselves time after time in order to prevent the execution of the agreement of 1686. Finally, in October, 1734, the first of three Councils was held with the Indians at Durham; the second was held on May 5, 1735, at Pennsbury; the third on August 25, 1737, at Philadelphia. What was done at the first Council at Durham has never been made public. Probably the preliminaries of the Walk were considered. The Indians never came to a decision quickly; besides this, they had become suspicious of the honesty of the proposals made by the whites. Before deciding what to do, they must first have a "big talk." At the second Council at Pennsbury it was finally settled that the Walk should start at or near the boundary line of the sale of 1682, and run northwest as far as a man could walk in one and a half days. When they made this agreement, the Indians supposed that the limit of the Walk would be the Lehigh River, while the whites expected that the Blue Mountains would be the farthest limit.

All parties expected that the arrangements for the Walk would be completed at the Council held at Pennsbury; but the Indians, with their usual caution, asked for another postponement in order that they might consult further with some chiefs who were

not present. They also demanded that the whites produce the treaties of August 28, 1680, and of July 15, 1682.

All the final arrangements were made at the meeting in Philadelphia. No minutes of this meeting appear on the records, probably because it was not a regular meeting of the Council.

In the meantime, on October 11, 1736, one hundred chiefs of the Six Nations assembled at Philadelphia to hold a great Council with the whites, under the auspices of James Logan. The Council was held in the Quaker Meeting-house, corner of Second and Market Streets. The Indian chiefs sat in the body of the house, while the spectators filled the galleries. For three days before the Council met Logan entertained the chiefs most royally. The result of this Council was that the chiefs there present agreed that neither they, their children, nor their children's children, nor any in authority in the Nation would at any time bargain, sell, grant any lands within the limits of the government of Pennsylvania to any person whatsoever, whether white man or Indian, other than to the Proprietors, the children of William Penn, or to persons by them authorized to receive the same.

It seems evident that this Council was arranged to more quickly bring the Delawares to terms; for the Iroquois boasted that they had conquered the Delawares and that the latter were their slaves.

The date of the Walk was for many years undetermined, for the reason that for a long time it was not known that there were two Walks, one a trial Walk in 1735, and the actual Walk in 1737.⁶ The purpose of the trial Walk was to lay out the course by the compass, and to get some idea how much territory it would include. Anticipating that all the preliminaries of the Walk would be settled at the Pennsbury Council in May, 1735, it seemed essential to the scheming whites that the trial Walk should be completed before the first of May. On the other hand, the whites conducted this trial Walk with the greatest possible secrecy, so that the Indians might not suspect their ulterior purpose. For all these reasons, James Steel, Receiver General under Thomas Penn, wrote twice in April to Timothy Smith,

⁶When, in 1756, Benjamin Franklin was appointed to investigate this transaction, he knew nothing of the Trial Walk.

Sheriff of Bucks County (which at that time included what was later Northampton County), urging that it be made before May 5th, when the Council was to meet. It was probably made after April 22d and occupied nine days, ending on May 1st. As far as the Lehigh River the walkers proceeded by the most direct line to the northwest. Those who did the actual walking were Edward Marshall, Joseph Doane and James Yeates. They were all experienced in woodcraft and swift walkers, and were selected by Timothy Smith, John Chapman, and Thomas Penn, the purpose being to secure the very fastest walkers they could find. Accompanying them were Timothy Smith, John Chapman as surveyor, and two others on horseback with provisions. Marshall had been chain carrier for Surveyor Benjamin Eastburn, or his deputy, Nicholas Scull, and was well acquainted with the Indian trails, which were to be followed as far as possible. In 1756, when an examination of this transaction was held by order of the King of England, Benjamin Franklin being the Examiner, Thomas Penn endeavored to give the impression that he was not present at the Durham Council and also had no hand in the planning of the trial Walk, in order that the odium of the entire transactions might be imputed to his agents; but while he may possibly not have been present at the Durham Council, yet documentary evidence shows that he was perfectly aware of what was being secretly done and gave every encouragement to the scheming land speculators who were trying to outwit the Indians. James Steel wrote to Timothy Smith at the beginning of May, 1735, that "as soon as the walkers have traveled the day and a half journey, the Proprietaries desire that a messenger be sent to give them account without any delay how far the day and a half traveling will reach up the country." Steel also promised that the Proprietaries would "generously reward" those who engaged in this business. But Marshall always maintained that he never received any remuneration for his share in the trial Walk. It is manifest that Thomas Penn was well aware of what his agents were doing.

The exact spot to begin the Walk was left optional with the contracting parties; but it was intended to be at some point towards the western extremity of the northern boundary line of William Penn's purchase of 1682. Some writers have supposed

that Wrightstown was selected because it was on a public highway. On August 28, 1737, Steel wrote to Scull, desiring that he and Chapman should run the boundary line of the purchase of 1682 from the Delaware to the Neshaminy, giving them the Indian deed to assist them in running it.

Somewhat elaborate preparations were made for the Walk. According to law, public notice of the Walk was to be given; but as no such notice is found in the only two weekly papers then published, "The Pennsylvania Gazette" and "The American Weekly Mercury," it is probable that if any formal notice was given, it was by posting it in written or printed form in Newtown, the county seat. Although communication was slow in those days, yet many of the settlers knew of the contemplated Walk. Indeed, bets were made upon the speed of the walkers. So anxious were the main movers in the affair to secure the greatest amount of land, that in the beginning of September, 1737, Timothy Smith and John Chapman again went over the course and made some deviations from that followed in the trial Walk, because the latter led over rough and rocky ground, especially at the eastern spur of the Lehigh Mountain, which might retard the speed of the walkers. As a further guide to the walkers over this changed course they blazed the trees at Gallows Hill, near Durham furnace, where it left the Durham road, and also near the Blue Mountains. Timothy Smith was charged with providing provisions and bedding for the walkers. It had been agreed that the starting point should be a well-known large chestnut tree situated in a corner of a field owned by John Chapman, where the road from Pennsville meets the Durham road, and near the Wrightstown Meeting-house. This tree was blown down in 1765, but the stump remained a conspicuous landmark for many years after that.

At last the actual Walk was set for September 12, 1737; but as it happened that on that day Sheriff Timothy Smith was compelled to attend the sessions of the Supreme Court and of the Court of Quarter Sessions at Newtown, a further postponement to September 19th became necessary.

The walkers selected were Edward Marshall, then 27 years old, James Yeates and Solomon Jennings; for some unknown reason the last-named was substituted for Doane. Accompany-

ing them were John Knowles, Smith's nephew, with several others on horseback conveying provisions, liquor and bedding; Nicholas Scull, Surveyor Benjamin Eastburn, Thomas Furness, a resident of Newtown, who joined the party soon after it started, out of curiosity, and three Indians.

At sunrise of September 19th the walkers stood with their hands on the chestnut tree, and at the word given by Sheriff Smith, just as the sun rose, they were off. Yeates took the lead, some distance behind him came Jennings with two of the Indians, and far behind was Marshall, who was husbanding his strength for the final efforts which would be needed. Jennings was the first to succumb two miles North of the Tohickon, at about 10 a.m., and then he lagged behind with other curious followers. Upon reaching the Lehigh River, he left them altogether and went to his farm on the south bank of the river, later known as Geisinger farm. At that time it was common report that this farm had been given to him in advance for his share in this transaction.

Soon the Indians who accompanied the walkers took note of a number of circumstances which caused them to express great dissatisfaction. In the first place, they expected that the walkers would follow the windings of the Delaware River, as William Penn had done in 1682. In the second place, they supposed that the walkers would rest and even hunt at intervals. In the third place, they did not know that the walkers would be experts, and they were displeased when they walked so fast that the Indians could not keep up with them. Once Marshall walked unusually fast to catch up with Yeates, and then they accused him of running. Nor were they mollified when some of the riders who followed allowed the Indians to ride part of the way on the horses. In the fourth place, they did not imagine that a day was intended by the whites to be considered twelve hours long, to the second. The whites went into this Walk as a matter of business. While keeping strictly within the literal terms of the agreement, they were determined to cover the greatest possible distance in the stipulated time. To be sure of accomplishing their purpose the secret Walk was made two years and four months previous, besides blazing the trees in the final determination, in early September, 1737, before the date of the actual

Walk, of the course to be followed by the walkers. Even if the Indians saw them at work with their compasses and axes, Thomas Penn, Timothy Smith, John Chapman and others were very careful to keep them in complete ignorance of their plans.

During the morning the Durham road was followed, until they left it to maintain a due northwest course, with their compasses and the blazed trees as their guides. At noon they stopped fifteen minutes for dinner in a meadow near the Durham road; some of those who accompanied them asserted that they continued their meal after resuming the walk. Small creeks they either waded or leaped over, for the treaty stated that no boats were to be used except for crossing the Lehigh River. This stream was reached at about one o'clock in the afternoon, and it was crossed at what was later known as Jones' Island, now a part of the Bethlehem Steel Works. Whether boats were used to cross the Lehigh does not appear from any of the narratives of the Walk; but as their use was permitted there by the treaty, they were undoubtedly so used. It is merely stated that they crossed at a ford near the residence of Ebenezer Pettit. After crossing, Marshall developed great speed and was always in the lead.

The course now bent slightly more westward, passing over the site of future Bethlehem. Three miles in a direct line from Jones' Island the walkers crossed the Monocacy creek; after that the trail led due northwest, cutting the junction of East Allen and Hanover Townships.⁷

During the afternoon the walkers kept on at their highest speed without a rest, a most remarkable test of endurance. Those who accompanied them on horseback gave them all possible encouragement to put forth their best efforts, partly verbally and partly with a limited quantity of stimulants. There is ample proof that they never really ran, although the Indians charged that such great speed was the same as running. No particular incidents occurred during the long, hot afternoon to relieve the tedium of the Walk, except that all the Indians but one expressed their dissatisfaction by leaving, saying that the

⁷The point at which they crossed the Monocacy was in the neighborhood of Shimer's mill, and the trail they followed probably passed over the sites of Howertown, Kreidersville and Berlinsville.

whites were taking their best lands, and therefore they did not care how far the Walk extended.

After passing through Lehigh Gap, where some Indians were waiting for them with the expectation that a rest would be made there for the night, the walkers proceeded 17 miles further. To the intense indignation of the Indians, the whites construed a day to mean exactly twelve hours; therefore to make up for the halt for dinner, the Walk continued till fifteen minutes past six. At the last, Timothy Smith stood at the top of a small incline, watch in hand, urging Marshall to keep up his pace till he reached the summit of the hill. This Marshall was able to do, reaching the summit just within the time limit; but he was so exhausted that he fell to the ground grasping a sapling for support.

There is little doubt that the endurance of the walkers was aided by giving them stimulants. In some narratives it is asserted that Yeates partook more freely than Marshall did, with the result that he was not able to keep up with his partner. It is also stated by some of those who accompanied them that Jennings was intoxicated when he left the rest South of the Lehigh.

The northwest course followed during the afternoon touched the Lehigh at two curves of the river eastward, the first time where the northern boundary of Allen Township touches the river, and the second, where the northern line of Lehigh Township touches it.

All the whites who accompanied the walkers knew very well that the Indians were dissatisfied, especially as the limit for the day was reached by only one of the walkers. So they were not surprised to hear the natives shouting during the night at their camp near the point of halting, at a *cantico* (a sort of indignation meeting), in which they gave vent to their angry feelings in this savage fashion. The first day's walk covered nearly 44 miles.

The next morning it was raining. Several causes besides the bad weather delayed the walkers in making a prompt start. The horses of those who had accompanied them had strayed away during the night, and it took nearly two hours before they were found. Then the Indians refused for some time to leave their camp to accompany the walkers; for the whites insisted that some Indians should be present to see how the transaction

terminated. The whites later testified that they had carried out the terms of the treaty strictly but honestly, and they wished the Indians to be convinced of that fact. It was therefore eight o'clock before the start was made. Marshall had been very much refreshed by his night's rest, but Yeates was still very weak from the strain of the previous day. Half an hour before the Walk terminated he fell while crossing a creek, and was picked up quite blind. Some narrators declare that he was intoxicated, but there seems to be no warrant for this assertion. He died three days later.

The course that morning followed a trail inclining a little more to the north. At 2 p.m. the six hours, or half a day, were up, and when so notified by Smith, Marshall struck his axe into one of a clump of five chestnut trees, later filling the cleft with a wedge shaped stone.

Immediately after the conclusion of the Walk, another dispute arose about the direction in which the northern boundary line should proceed to the Delaware River. The Indians demanded a course due East, thus making an acute angle with the course last followed by the walkers; the whites insisted on a line running at right angles with the course last traveled. Surveyor Eastburn in particular advanced the argument that this had been the usual method pursued in previous purchases. While the Indians acknowledged the correctness of this argument, yet there was a difference. In previous sales the tracts were smaller, and were closer to the river, so that it made very little difference whether the final boundary line made an acute angle or a right angle with the course last followed. Amid bitter charges of fraud by the Indians, the contention of the whites prevailed. The further charge was made by the Indians, at the examination in 1756, that the course of the Walk had been laid out in a northwestern direction for the very purpose of furnishing a basis for the plan of running the northern boundary line at right angles to the final course. At this examination the whites retorted that they were not to blame if the natives were not shrewd enough to note this at the time of the Walk. Another charge of fraud was based on the fact that this line would include the best lands of the Minisinks; when the Delawares made the treaty with the whites they had no rights of possession beyond the Blue (or Endless) Mountains, and therefore they

also had no right to transfer these lands to any one else. The answer of the whites was that the Delawares should have foreseen that the Walk might extend into the Minisink country, and should have worded the treaty accordingly. It also came out in the later investigation that this desired northern boundary line included in the purchase the lands sold to Allen and Dupui some years before. Their title to these lands was thereby made more secure.

The line to the Delaware was 66 miles in length, and reached the river at the mouth of Lackawaxen creek. The survey of this line occupied Surveyor Benjamin Eastburn and his assistants four days. The number of acres included in the tract has been variously estimated; but the most conservative calculation, based on the measurements of Eastburn, when he and his assistant, Nicholas Scull, surveyed the course in 1738, was 330,000 acres. (Other estimates were 500,000 and even 800,000 acres.) The northern boundary of the Purchase was therefore the afore-said northern line to the Delaware River, at right angles to the course last followed, the western boundary was the trail followed by the walkers, the eastern boundary was the Delaware River, and the southern boundary was the northern line of the sale of 1682.

The courses and distances as surveyed by Eastburn in 1738 were as follows, and they have ever since been accepted as correct.

Courses.		Distances.
N. 34° W.	13 miles, 6 furlongs.	
N. 19° W.	3 miles, 6 furlongs.	
N. 37° W.	14 miles, 5 furlongs	(to the Lehigh, 32 $\frac{1}{8}$ miles).
N. 66° W.	3 miles, 3 furlongs.	
N. 31° W.	8 miles, 3 furlongs	(end of the first day, 43 $\frac{7}{8}$ miles).
N. 35° 30' W.	8 miles.	
N. 30° W.	8 miles, 7 furlongs.	

Total distance, 60 miles, 6 furlongs, or about 60 $\frac{3}{4}$ miles.

The average direct course from end to end was N. 36° W., and the air-line distance 60 $\frac{1}{8}$ miles.*

*Other estimates varied all the way from 48 to 120 miles. To give their charges of fraud more weight, the Indians reckoned the distance as 80 miles. The achievement was remarkable enough, even accepting the conservative and actual measurements made by Surveyor Eastburn; so there is no need to magnify the figures.

Under the plea that fraud had been committed in various forms and under sundry unfair pretensions, the Delawares refused for several years to surrender occupation of the lands in the Forks of the Delaware, although an increasing tide of immigration by white people immediately set in. This refusal to vacate at last became so pronounced, that finally the Proprietaries invoked the aid of the Iroquois to force the Delawares to move. This was in the year 1741. The Iroquois were the hereditary enemies of the Delawares and had overcome them several times in sundry sanguinary conflicts. The Iroquois knew very well that the Delawares had been outwitted and for that reason despised the latter for their lack of shrewdness.

Accordingly in 1742 a deputation of 230 Iroquois visited Philadelphia, where they were met by a delegation representing the Delawares, who had also been invited to assemble there. Governor Thomas first stated that the Delaware chief Nutimus and others, who had signed the treaty of 1737, had refused peaceably to vacate the lands in dispute, and that they had even declared their intention to maintain possession by force of arms. Thereupon chief Canassatago addressed the Governor and the assembled Delawares, in the name of the Iroquois, to the following effect :

The Delawares had been an unruly people, and were altogether in the wrong ; so the Iroquois had concluded to remove them, and oblige them to go over the river Delaware (Lehigh) and quit all claims to any lands on this side for the future, since they had received pay for them, and "it is gone through their guts long ago" (or, what they had received had all been used up). They deserved to be taken by the hair of the head and shaken severely till they recovered their senses and became sober ; he had seen with his own eyes a deed signed by nine of their ancestors above fifty years ago (1686) for this very land and a release signed not many years since (1737) by some of themselves and by chiefs then living (among them Nutimus and Sassoonan then present) to the number of fifteen and upwards. "But how came you," addressing the Delawares, "to take upon you to sell lands at all? We conquered you ; we made women of you ; you know you are women, and can no more sell land than women ; nor is it fit that you should have the power of sell-

ing lands, since you would abuse it. This land that you claim has gone through your guts; you have been furnished with clothes, meat and drink, by the goods paid you for it, and now you want it again, like children as you are. But what makes you sell lands in the dark? Did you ever tell us that you had sold this land? Did we ever receive a part, even the value of a pipe shank, from you for it? You have told us a blind story that you sent a messenger to us, to inform us of the sale; but he never came among us, nor did we ever hear anything about it. This is acting in the dark, and not like the custom our Six Nations observe in the sale of lands. On such occasions they give public notice, and invite all the Indians of the united nations, and give them all a share of the presents they receive for their lands. * * * But we find that you are none of our blood; you act a dishonest part. * * * For all these reasons we charge you to remove instantly; we don't give you liberty to think about it. You are women. Take the advice of a wise man and remove instantly. You may return to the other side of the Delaware (Lehigh) where you came from; but we do not know whether, considering how you have demeaned yourselves, you will be permitted to live there, or whether you have not swallowed that land down your throats, as well as the land on this side. We therefore assign you two places to go to, either to Wyoming or Shamokin. Then we shall have you more under our eye and shall see how you behave. Don't deliberate, but remove, and take this belt of wampum." The Delawares dared not disobey this peremptory command. Yet they did not remove at once; only by slow degrees during subsequent years did they finally consent to vacate, some going to Wyoming and Shamokin, and some beyond the Ohio River.

The opinions of writers concerning the morality of this transaction have varied greatly. But the trickery which was employed in drawing the treaty, in making the trial Walk in 1735, in making the final examination in 1737, in blazing the trees, in selecting the most expert walkers they could find, in calculating the time so exactly to the very second, and in running the final boundary line, showed that the unscrupulous land speculators, under the sanction of the Proprietaries, were planning to take every possible advantage of the unsuspecting Indians. They

found that they were dealing with ignorant, confiding people, who could be easily imposed on and outwitted; and so, while boasting that they had carried out the provisions of the treaty literally, they at the same time determined to secure every possible profit for themselves.

At a meeting of the Bucks County Historical Society held at Wrightstown, July 31, 1883, it was proposed to erect a monument to mark the starting point of this famous Walk. Miss Martha Chapman donated the needed plot of ground, 620 square feet, and in 1886 the monument was erected. It is of granite, pyramidal in shape, the shaft four feet high, resting on a base placed on a mound two feet high. The inscription is the following: "To the memory of the Lenni Lenape Indians, ancient owners of this region, these stones are placed at this spot, the starting point of the Indian Walk, September 19, 1737."

In connection with a number of other complaints made by the Indians led by Tedyescung, the Delaware chief, this whole transaction was made the subject of an investigation by order of the King of England. Through Governor Morris of Pennsylvania the King appointed Benjamin Franklin to conduct this investigation. The first sessions were held in 1756, and the investigation was brought to a conclusion in 1760. But the sessions were not continuous, long intervals intervening. Benjamin Franklin was also in 1756 engaged in locating a chain of forts along the Lehigh Valley in order to prevent a repetition of the massacre at Gnadenhuetten on the Mahoning, which took place November 24, 1755. Moreover, from 1757 to 1762 Franklin was in England and France, negotiating commercial treaties on behalf of the (Pennsylvania) State government. His supervision of the investigation was therefore only nominal. It was begun under Governor Morris and concluded under Governor Denny. One great benefit that resulted was that a good many treaties and important agreements were brought to light whose existence had not previously been certainly known. The final result was that the white settlers were confirmed in the titles to the lands they occupied and the Indians were persuaded to vacate and move further westward.

Edward Marshall was born at Bustleton, Philadelphia County, in 1710. He was by occupation a hunter. After the warlike

attacks of the Indians on the whites in 1756 he moved to Stroudsburg. There was a mutual hatred between him and the Indians. The Indians hated him because of the part he took in the great Indian Walk; Marshall hated the Indians because he suffered injury at their hands. While he was absent from home, the Indians attacked and burned his house. His wife escaped but was soon captured and murdered. From that time he swore vengeance against the Indians, and he never lost an opportunity of killing one. The family tradition is that he killed 1300 deer with his rifle, besides other animals and unnumbered Indians.

This rifle was a long, heavy, flint-lock gun with wooden rammer and brass mountings and carried an ounce ball. As he could not get a rifle to suit him in this country, he caused the barrel and lock to be purchased in Germany and had it mounted here. This rifle is now in possession of the Bucks County Historical Society. It is in perfect order and the hair-trigger is as sensitive to the touch as when the original owner set it to shoot Indians. In the flint-box is the identical rammer-screw that Marshall used to clean out the piece before he started on his hunt for human game.⁹

Marshall was twice married. By his first wife he had 13 children. After his wife had been murdered, he married his housekeeper, Elizabeth Meaze, by whom he had 8 children. He subsequently removed to an island in the Delaware which later bore his name. It was situated opposite Tinicum and contained 250 acres. There he died November 7, 1789, aged 79 years. His body was brought to the Pennsylvania side of the river and interred there. His wife died October 12, 1807, aged 80 years.

James Yeates was born in New England but at the time of the Walk was residing in Newtown. He died three days after the completion of the Walk.

Solomon Jennings had two sons, John and Isaiah, and two daughters, Judith, who married Nicholas Scull, the surveyor, and Rachel. Jennings was Commissioner of Northampton County in 1755. In 1756 he had command of a militia company that passed through Nazareth for the scene of the Indian

⁹When Marshall was questioned about his Indian experiences, he would simply remark that "when he saw an Indian, he generally shut one eye and never saw him afterward."

massacres on the frontier in order to search for and bury the dead. He died February 15, 1757, and was buried in the family burial ground on his farm. After the death of his widow in 1764, the farm of 200 acres was sold to Jacob Geissinger of Saucon Township.

The chief sources that have been consulted are the following:

Pennsylvania Archives.

Colonial Records.

Smith's Laws.

Buck's Indian Walk.

Davis' History of Bucks County.

Ellis' History of Northampton County.

Egle's History of Pennsylvania.

Watson's Annals of Philadelphia.

Henry's History of the Lehigh Valley.

McMinn's Life of Henry Antes.

Penn manuscripts in the library of the Historical Society of Pennsylvania, and in the State Library at Harrisburg, Pa.